

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)
) Case No. 1:22-cr-068-1
v.)
) Judge Travis R. McDonough
CODY LEE BALILES)
) Magistrate Judge Mike Dumitru

ORDER

Magistrate Judge Mike Dumitru filed a report and recommendation recommending that the Court: (1) grant Defendant's motion to withdraw his not guilty plea as to Count Three and Count Four of the five-count Indictment; (2) accept Defendant's guilty plea as to Count Three and Count Four; (3) adjudicate the Defendant guilty of Count Three and Count Four; (4) defer a decision on whether to accept the plea agreement (Doc. 25) until sentencing; and (5) order that Defendant remain in custody until sentencing in this matter (Doc. 34). Neither party filed a timely objection to the report and recommendation. After reviewing the record, the Court agrees with Magistrate Judge Dumitru's report and recommendation. Accordingly, the Court

ACCEPTS and **ADOPTS** the Magistrate Judge's report and recommendation (Doc. 34) pursuant to 28 U.S.C. § 636(b)(1) and **ORDERS** as follows:

1. Defendant's motion to withdraw his not guilty plea as to Count Three and Count Four of the Indictment is **GRANTED**;
2. Defendant's plea of guilty to Count Three and Count Four is **ACCEPTED**;
3. Defendant is hereby **ADJUDGED** guilty of Count Three and Count Four;
4. A decision on whether to accept the plea agreement is **DEFERRED** until sentencing; and

5. Defendant **SHALL REMAIN** in custody until sentencing in this matter which is scheduled to take place on **August 8, 2025 at 9:00 a.m. [EASTERN]** before the undersigned.

SO ORDERED.

/s/Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE